1   2   3   4   5   6   7   8	HARVEY SISKIND LLP D. Peter Harvey (SBN 55712) pharvey@harveysiskind.com Seth I. Appel (SBN 233421) sappel@harveysiskind.com 4 Embarcadero Center, 39th Floor San Francisco, California 94111 Telephone: (415) 354-0100 Facsimile: (415) 391-7124  Attorneys for Defendants RED HAT, INC. and RED HAT MIDDLEWARE, LLC	
9		
10		
11	IN THE UNITED STATES DISTRICT COURT	
12		
13	SAN FRA	ANCISCO DIVISION
14   15	FIRESTAR SOFTWARE, INC.,	Case No. C 07-80204 MISC MMC (EMC)
16	Plaintiff,	STIPULATION AND [PROPOSED]
17	v.	ORDER RESCHEDULING HEARING ON THOUGHT, INC.'S MOTION TO
18	RED HAT, INC., et al.,	QUASH THIRD PARTY SUBPOENA, OR IN THE ALTERNATIVE, FOR A
19	Defendants.	PROTECTIVE ORDER
20	Defendants.	
21		
22		
23		
24		
25		
26		
27		
28		

1	In light of the Parties' arrangement, memorialized in the letter filed concurrently herewith, the	
2	Parties hereby stipulate that the hearing on Thought, Inc.'s motion to quash third party subpoena, or	
3	in the alternative, for a protective order be rescheduled to February 6, 2007, at 10:30 a.m.	
4 5	Dated: December 17, 2007 Respectfully submitted,	
6	HARVEY SISKIND LLP	
7	By:Seth I. Appel	
8	Seth I. Appel	
9	Attorneys for Defendants RED HAT, INC. and RED HAT MIDDLEWARE, LLC.	
10	JOHN JASON GENTRY MULLINS	
11	By:/jgm/	
12	John Jason Gentry Mullins	
13	Attorneys for Third Party	
14	THOUGHT, INC.	
15		
16	[PROPOSED] ORDER	
17	The Parties have stipulated that the hearing on Thought, Inc.'s motion to quash third party	
18	subpoena, or in the alternative, for a protective order be rescheduled to February 6, 2007, at 10:30	
19	a.m.	
20	Good cause appearing therefore:	
21	IT IS SO ORDERED.	
22	Dated:	
23	The Honorable Edward M. Chen	
24	United States District Court Judge	
25		
26		
27		
28		